

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
Case No. 1:23-cv-00878-TDS-JEP**

DEMOCRACY NORTH CAROLINA, et al.,

Plaintiffs,

v.

ALAN HIRSCH, et al.,

Defendants,

and

PHILIP E. BERGER, et al.,

Intervenor-Defendants.

**PLAINTIFFS' MOTION TO COMPEL
RESPONSE TO SUBPOENA AND TO
AUTHORIZE ALTERNATIVE SERVICE
OF SUBPOENAS**

NOW COME Plaintiffs Democracy North Carolina, North Carolina Black Alliance, and League of Women Voters of North Carolina (collectively, "Plaintiffs"), through their undersigned counsel, to move the Court for an order (1) compelling non-party Cleta Mitchell to respond to the document subpoena Plaintiffs served upon her by certified mail pursuant to Federal Rule of Civil Procedure 45 and (2) authorizing alternative service of document and deposition subpoenas on Ms. Mitchell and non-party North Carolina Election Integrity Team. In support of this motion, Plaintiffs file a Memorandum of Law and Declaration herewith.

Dated: January 31, 2024

Respectfully submitted,

/s/ Jeffrey Loperfido

Jeffrey Loperfido (State Bar #52939)
Christopher Shenton (State Bar #60442)
Katelin S. Kaiser (State Bar #56799)
Hilary H. Klein (State Bar #53711)
**SOUTHERN COALITION FOR SOCIAL
JUSTICE**

PO Box 51280
Durham, NC 27717
(919) 794-4213
jeffloperfido@scsj.com
chrissshenton@scsj.com
katelin@scsj.com
hilaryhklein@scsj.com

Michael Dockterman
Jamie Witte
Geneva Ramirez
Maria O’Keeffe
STEPTOE LLP
227 W. Monroe St., Unit 2E
Chicago, IL 60606
(312) 577-1300
mdockterman@steptoe.com
jwitte@steptoe.com
gramirez@steptoe.com
mokeeffe@steptoe.com

*Counsel for Plaintiffs Democracy North Carolina,
North Carolina Black Alliance, and League of
Women Voters of North Carolina*

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of **Plaintiffs' Motion to Compel Responses to Subpoena and to Authorize Alternative Service of Subpoenas** was served on all parties of record through the Court's electronic filing system and on the following non-parties by USPS Priority Mail and e-mail on January 31, 2024 as addressed below:

Cleta Mitchell
139 National Drive
Pinehurst, NC 28374
cleta@cletamitchell.com

North Carolina Election Integrity Team
c/o James Womack Jr. (Registered Agent)
1615 Boone Trail Road
Sanford, NC 27330
james.k.womack@gmail.com

/s/ Jeffrey Loperfido

Jeffrey Loperfido
Southern Coalition for Social Justice

*Counsel for Plaintiffs Democracy North Carolina,
North Carolina Black Alliance, and League of
Women Voters of North Carolina*